

Exhibit A

Proposed Order

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

**[PROPOSED] ORDER MODIFYING ORDER AUTHORIZING
DEPOSITION OF BERNARD L. MADOFF**

WHEREAS, on September 29, 2016, this Court entered an Order Authorizing the Deposition of Bernard L. Madoff (“Madoff”) pursuant to requests from certain defendants (the “Participating Customers,”) subject to certain limitations (ECF No. 14213) (the “Madoff Deposition Order”).¹

WHEREAS the Madoff Deposition Order permits two (2) attorneys to appear at Madoff’s deposition on behalf of Irving H. Picard (“Trustee”) for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities and the estate of Bernard L. Madoff,

¹ Capitalized terms used but not defined herein shall have the meaning ascribed to them in the Madoff Deposition Order.

individually and two (2) attorneys for the Participating Customers may appear; no other appearances are authorized. *See* Madoff Deposition Order, at ¶ A.

WHEREAS, on December 20, 2016, the Participating Customers deposed Madoff, but they did not finish their questioning on these topics in the time allotted. Counsel for the Trustee did not have the opportunity to ask any questions of Madoff or conduct any cross-examination, and reserved his rights on the record.

WHEREAS, on January 19, 2017, this Court entered the Order Authorizing the Continued Deposition of Bernard L. Madoff. (ECF No. 14905).

WHEREAS, the continued deposition of Bernard L. Madoff is currently scheduled to take place on April 26 and 27, 2017.

IT IS HEREBY ORDERED THAT:

1. Paragraph A of the Madoff Deposition Order is hereby modified to permit three (3) attorneys to appear on behalf of the Trustee solely with respect to the depositions of Madoff scheduled for April 26 and 27, 2017.

2. Other than as set forth herein, nothing in this Order shall modify the Madoff Deposition Order, which remains in full force and effect.

3. This Court shall retain exclusive jurisdiction over the enforcement, implementation, and interpretation of this Order.

Dated: New York, New York
April ____, 2017

Hon. Stuart M. Bernstein
United States Bankruptcy Judge